

## BURKETT TRAPS BOARD

Tries to Get Senate to Stop Chancellor Trial.

TOLD JUDGES ARE PREJUDICED

Senator from Nebraska informed by two members of board that result of trial was predetermined—Education Body Trying Man Too Ill to Appear in His Own Defense.

Senator Burkett, of Nebraska, yesterday made an effort to have the Senate suspend the trial of Superintendent Chancellor before the school board in the interest of fairness to the accused man, until the inquiry ordered by the Senate Committee on the District of Columbia shall have been completed.

Senator Clay, of Georgia, however, objected to the immediate consideration asked by the Senator from Nebraska for his resolution directing the suspension, and the resolution went to the District Committee for consideration and report.

As the author of the present school law, Senator Burkett is probably better acquainted with the school question in the District than any of his colleagues. He informed the Senate, in asking that his resolution be immediately acted upon, that Dr. Chancellor is being made the victim of prejudice, if not of prejudice, giving as his authority the statement made to him by two members of the board of education, that it had been determined to dismiss the superintendent before the trial began.

Senator Teller asked the reason for the resolution. Mr. Burkett replied in effect that its purpose was to forestall prejudicial action on the part of the board before the Senate's direction for an inquiry could be put into effect.

Trying Absent Sick Man. "The superintendent," he said, "is at present sick in bed, on his back, and very seriously ill, I am informed. He has not been able to attend the hearing. The hearing is proceeding, and the final action of the board is likely to be reached at any moment. If we are to have an inquiry, it is of consequence to ask the board to desist from further procedure."

Mr. Teller asked to have the resolution of December 8, directing the Senate inquiry, read, and while it was being brought to the chamber Senator Culberson asked that Mr. Burkett's paper be again read. Senator Lodge then called for the regular order of business, and some minutes later Mr. Burkett again called upon the school matter.

Senator Newlands, of Nevada, declared that he could not understand the purpose of the resolution suspending the school board hearing, and when it had been read again, asked if it had been referred to the District Committee. Assured by Mr. Burkett that it had not, he declared that it was of too great importance to be considered without action by the committee. Mr. Burkett explained the object of the resolution again, and added that he was informed "that the opinion is that the superintendent will be discharged, rightly or wrongly."

Result Predetermined, He Hears. He continued: "I will say to the Senator that this morning the Committee on the District of Columbia—such members as could get together to confer about this matter—were of the unanimous opinion—some of us—that such a resolution should be passed to stay proceedings until the committee could do what the Senate has directed it to do."

"I will further say to the Senator that from all appearances down here, the board started out in fact, I will say to the Senator that two of the members of the board told me that it was not necessary to have a hearing. They started to adjourn to give a hearing, and as the hearing has progressed from day to day it has been apparent that the statement of those two members of the board was true."

"A thing that occurred yesterday displays the hostility and the refusal of the board to give the superintendent anything near a fair hearing. The superintendent is at present sick at home in his bed, and his doctor says he is seriously ill. Yet, notwithstanding that fact, the board is going on with the hearing, and they may possibly—and I think it altogether probable that they will—dispose of this matter by discharging the superintendent in the condition."

Charges Against Chancellor. "I will say to the Senator that there seem to have been at the start four charges against the superintendent. Two of them, I understand, have been dropped—one that he collected \$5,000 out of the District of Columbia and withdrew them from use in the schools. It was shown in evidence that that was done on the board's order. The other charge was, so far as we can learn, that he ordered Latin to be taught in the seventh grade, which the board did not approve of. I understand that both those charges have been withdrawn."

"Of the other two charges, as I understand from the best information I can get, one of them is that he did not attend board meetings that perhaps he should have attended last summer. I will not say perhaps, but probably he should have attended. The other charge is with reference to some article that appeared in an educational journal."

Latina Within His Province. "The law provides that any special matters shall be left in the hands of the superintendent. In instruction, I dare say that is the rule in every city that any Senator comes from or any other city, and that whether Latin or those things should be taught is for the superintendent to determine. If the committee is to have any hearing in accordance with the direction of the Senate the proceedings over there must be stayed. That is the reason for this resolution."

Senator Nelson, of Minnesota, here interjected an inquiry whether Congress, the Commissioners, or the board of education

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## YESTERDAY IN CONGRESS.

## SENATE.

Senator Burkett made a determined but unsuccessful effort to have the trial of Superintendent Chancellor before the board of education suspended pending further inquiry. Most of the session was taken up by a warm discussion of the right of Cabinet officers to introduce bills, and the rules committee was directed to inquire into the advisability of reporting a rule covering the question.

The Senate went into executive session at 2:32 p. m., and after adjourning a number of nominations, adjourned at 2:45 p. m. until Monday next.

## HOUSE.

Committees on Rules and Mileage named by Speaker Cannon. About 300 bills introduced. Adjournment taken until Monday after eight minutes' session.

education employed the superintendent. Mr. Burkett replied specifically that the law provided that the board of education should employ him. Mr. Nelson then asked:

"Is not this resolution, in effect, a sort of legislative injunction against the board of education? What right have we to enjoin that board from employing the superintendent, the qualifications and fitness of one of their own appointees?"

## To Protect Senate's Order.

Mr. Burkett replied that the resolution was intended only to make possible the performance of the Senate's order embodied in the resolution ordering an inquiry. "When the Senate passed that resolution," he said, "it undertook to take the matter out of the hands of the board of education." He then had the inquiry resolution read, and declared that if the inquiry therein ordered was to be made effective, the pending resolution suspending the trial should be passed. Mr. Newlands, however, insisted that it should first be considered by the District Committee, and entered formal objection.

Later, during the discussion of the right of Cabinet officers to submit bills to the Senate and ask their enactment, Mr. Newlands withdrew his objection, and Mr. Burkett again asked immediate consideration of his resolution. The Vice President put the question, when Senator Clay arose and entered objection, and the resolution was finally referred to the District Committee.

Senator Gallinger, chairman of the committee, would not discuss the probable action of the committee on the resolution, nor would Senator Burkett indicate his probable course as a member of that committee. There will be no meeting of the committee to-day, but it is understood that a special meeting may be called tomorrow to consider the resolution.

## COMMITTEES NEARLY READY

Expected to Be Announced in Senate on Monday Next.

Final Details Probably Will Be Discussed at Meeting of Committee on Committees To-day.

The Senate committee on committees has practically completed its work, and it is understood that the final details will be finished at a meeting of the committee to be held this morning. It is more than probable that Senator Allison will on Monday, when the Senate again convenes, announce the selections of Senators for the vacant places on the various committees.

The process has been largely one of elimination, as blanks were sent out to the various Senators, upon which they returned their preferences regarding committee appointments. The task then remaining was a delicate one, but the committee was aided in its assignments by the known abilities of the several candidates as applied to the wide range of committee work.

It is known that Senator Knox, of Pennsylvania, will be the chairman of the Committee on Rules, and it is generally conceded that Senator Piles, of Washington, will get the Republican vacancy on the District of Columbia Committee. There are three Democratic vacancies on the latter body, which is the most important from Washington's standpoint. Senator Hopkins, of Illinois, is believed to be slated for the vacancy on the Finance Committee, although Senator Beveridge has been mentioned for this place.

Senator Hale, chairman of the committee on committees, who has been confined to his home for several days by illness, was out yesterday, and although he did not appear on the floor of the Senate, he attended the meeting of the committee on Finance, which preceded the session. Senator Hale has been directing the work of the committee on committees from his home.

## CLAYTON GIVES THANKS.

Resolution on Third Term Submitted by Alabama Man.

Representative Clayton, of Alabama, yesterday introduced a resolution in the House congratulating the country on the President's declaration that he will not again be a candidate or take the Republican nomination for President.

It was Mr. Clayton who introduced the resolution on Monday to the effect that a third term was a menace, so the second one is in the nature of a thank-offering. He would only say, in discussing it, that his sentiments were expressed in the resolution.

To limit the authority of Circuit and District Courts and Judges is the purpose of a second resolution introduced by Mr. Clayton yesterday.

It is designed to restrain any United States Circuit or District Court from issuing injunctions or restraining orders in cases where State Court decisions are in doubt until a final hearing has been held and the constitutionality of the law passed upon.

## TO AMEND IMMIGRATION LAW.

Senator Latimer Wants Alien Laborers Imported Under Restrictions.

Senator Latimer, of South Carolina, yesterday introduced a bill, which is an echo of the difficulties encountered by some of the Southern States about a year ago in their efforts to ameliorate the labor famine in that section by importing aliens.

## DE ARMOND ADDS TO GRIST.

Introduces Two Measures Bearing on Financial Affairs.

Representative De Armond introduced a resolution in the House yesterday to call upon the Secretary of the Treasury for a statement as to the amount of gold coin and gold bullion in the United States Treasury or elsewhere, and if there is enough to meet all demands for the redemption of gold certificates; and if not, why not.

He also introduced a bill prohibiting the use of bank funds in speculation of any sort, and providing a large penalty.

## WANT NO DICTATION

Senators Score Practice of Department Heads.

MAY ADOPT RULE TO STOP IT

Committee on Rules Directed to Consider Means of Reserving to Senators Exclusive Right to Introduce Original Legislation—Members of Both Parties Protest.

Most of the day in the Senate was consumed in a discussion of the practice of Cabinet officers in sending to the Senate drafts of bills, with the recommendation that they be enacted into law.

Senator Aldrich moved that all such proposed legislation be referred to the Committee on Rules, and that the committee be asked to consider the matter of reporting a rule for the guidance of the Senate in such matters. The motion was adopted.

Senators of both parties joined in condemnation of the practice. Senator Carter alone defended the custom, which, he said, had prevailed for years. He read a list of bills sent to the Senate from time to time by different Cabinet officials under preceding administrations, and created some amusement at the expense of Senator Teller, of Colorado, by showing that while the latter was one of the Senators now condemning the practice, he had, as Secretary of the Interior, submitted such bills himself.

"I don't care how old the practice is," said Mr. Aldrich, "it ought to be stopped at once."

## Lodge Wants It Stopped.

Senator Lodge, of Massachusetts, quoted from a circular letter sent by an officer of the artillery advocating the passage of a certain bill and warning the Senate not to allow any riders to go upon it. "I do not think it is quite the proper thing to point out that no riders or amendments should go upon bills," said Mr. Lodge. "I don't know to whom that can apply, except to the only power that can put riders and amendments on bills. I think it is time to put a stop to this kind of thing. I do not want to cut off the advantage of having the executive departments prepare bills when asked to do so, but if Congress must have volunteer information, it should come through the President."

Mr. Culberson, the minority leader, expressed the view that "nobody other than a Senator should introduce a bill, even by indirect action."

"No Dictation," Says Aldrich. Mr. Aldrich, referring to the case of the army officer spoken of by Senator Lodge, said:

"Such conditions are intolerable. So far as I am concerned, if I am to receive instruction from the executive departments, I want it first hand from the President. We are not here to receive direction of any kind from anybody. We have grave responsibilities here, and I, for one, am unwilling to take dictation from any source."

## PRETTY CEREMONY IN SENATE.

Senator Frye Formally Inaugurated as President Pro Tem.

Simple and pretty was the ceremony which marked the induction into office yesterday of the President pro tem, of the Senate, Senator William F. Frye, of Maine. He was re-elected to that office a few days ago for the third time.

Shortly before the end of the day's session, Vice President Fairbanks left the chair—a thing he rarely does during a session—and Senator Perkins, of California, took the seat on the rostrum. Senator Allison, dean of the Senate by virtue of having served longest in that body, arose and moved that the Senator from Maine be notified of his election as President pro tem. The motion carried, and Chairman Perkins named Mr. Allison and Senator Bacon, of Georgia, as the committee to notify him.

With courteous formality the two Senators approached the desk of the Senator from Maine, notified him of his election in a few words, and then escorted him to the chair. Senator Perkins arose as they approached, handed the President pro tem a paper into the chair and presented him to the Senate.

Standing behind the presiding officer's desk, Mr. Frye made a brief speech of thanks, in which he referred to the fact that the Vice President's fidelity to duty made the office of President pro tem one more of honor than of activity; and the incident closed with the lightest possible clapping of hands on the part of the Senators.

## VIRGINIA MEMBERS BUSY.

Introduce Bills Affecting Old Dominion History.

Three resolutions affecting Virginia affairs were introduced in the House yesterday by Representatives Lamb and Lassiter.

The first is to provide for the erection of a shaft over the grave of George Wythe, a signer of the Declaration of Independence, in St. John's Cemetery, in Richmond, Va. Mr. Lamb's second measure is to have permission granted to the State library board of Virginia to compile, edit, and publish the records of the soldiers and sailors from Virginia who participated in the Revolutionary war.

Mr. Lassiter's resolution provides for a complete and careful survey of the ground involved in the war time struggles around Petersburg. It asks that a survey and map of all lines of investment and defense be made, showing plainly and definitely the position of the army's lines during that time, the headquarters on either side, and all fortifications.

## RELIEF FOR GOTHAM OFFICE.

Commission Recommendation on Post-office Conditions.

Strong recommendations for immediate relief by Congress in the form of appropriations for more working room for the employees of the New York City post office are the features of the report of the commission that visited New York in November last to investigate and report upon conditions.

The report was presented in the Senate yesterday by Senator Scott, of West Virginia. It was signed by Senator Scott, Postmaster General Meyer, and Representative Bartholdt, of Missouri.

The commission submits six separate recommendations for relieving the situation. The commission admits that these relief measures are only for temporary benefit, and adds the recommendation that Congress authorize the acquisition of a site in the downtown district for a large post-office station on a location near a business thoroughfare, but not facing it, in Lower New York.

Other Congressional News on Page 5.

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## FIGHT ON PERSONNEL ACT

Bill Introduced Yesterday in Senate Expected to Start One.

Senator McCumber Asks Return of Capt. W. G. Cutler, Formerly Retired, to Navy Active List.

The dissatisfaction which is widespread in the navy over the personnel act, which provides for the enforced retirement of a sufficient number of officers to create a certain number of vacancies in the line each year, will probably result in an extensive discussion of that act at the present session of Congress. It is not improbable that a serious effort will be made to secure its amendment or repeal.

Senator McCumber, of North Dakota, yesterday introduced a bill to restore to the active list of the navy Capt. William G. Cutler, who was retired by the navy retiring board last July under the operation of the personnel act. He was then a commander in the navy, and under the provisions of the law, was retired with the rank of the next highest grade. Capt. Cutler was by no means pleased by his enforced relegation to the inactive list, and the bill introduced yesterday is the result of his efforts to return to his former standing.

Warm opposition to the personnel act is expected to develop when the bill comes up for action, and it is viewed, in fact, as the first gun of a fight to secure its amendment, if not its repeal.

## NURSE CORPS FOR THE NAVY.

Bill to Be Introduced Will Provide for Ambulance Ships.

A bill will be introduced in Congress room, upon the recommendation of Secretary of the Navy Metcalf and Surg. Gen. Riker, providing for the establishment of a corps of women nurses for the navy. They will be stationed at the various hospitals at naval stations, and are intended to form the nucleus of a female nurse corps for service on hospital and ambulance ships in time of war.

## Lighthouse for Thimble Island.

An appropriation of \$20,000 for a new lighthouse on the East Reef, near Thimble Island, Long Island Sound, was proposed in a bill introduced yesterday by Senator Bulkeley, of Connecticut.

## HOUSE SESSION BRIEF ONE.

Lasts but Eight Minutes—Sherman on Rules Committee.

Representative Sherman, of Pennsylvania, was yesterday named as a member of the Committee on Rules, to succeed Gen. Grosvenor, of Ohio.

The members of the Committee on Mileage announced are Brumba (Rep., Pa.), Kennedy (Rep., Iowa), Addison D. James (Rep., Ky.), Lewis (Dem., Ga.), and Denver (Dem., Ohio).

The session of the House lasted but eight minutes. Adjournment was taken until Monday, when the House will hear all the committee assignments, adjourn until the following Thursday, and then go home for the holidays.

Of the committee appointments to be made, it seems certain that Vreeland, of New York, will go on the Committee on Appropriations, and that his place on the Naval Affairs will be taken by Olcott, also of New York, who will retain his place on the Committee on District Affairs.

Two members were sworn in yesterday, E. D. Crumpacker, of Indiana, and Ebenezer Hill, of Connecticut, both Republicans.

The bills introduced were:

By Mr. Moore (Rep., Pa.)—Appropriating \$20,000 for an immigrant station at Philadelphia.

By Mr. Dunwell (Rep., N. Y.)—Giving to soldiers and sailors who lost a limb in the service pensions of \$24, \$35, and \$75 a month, respectively, according to the extent of the loss, and to their widows, if married prior to 1890, \$30 a month.

By Mr. Higgins (Rep., Conn.)—Directing that forestry be taught in agricultural colleges receiving aid from the United States.

## MISTAKE, BUT IT STANDS.

California Senators Get Little Consolation from the President.

The California Senators called upon President Roosevelt yesterday morning, and they were not in a pleasant frame of mind.

Some months ago the President gave a recess appointment to a candidate of Benjamin Ide Wheeler for the postmastership at Berkeley, Cal. The Senators and the Congressmen from that district had recommended one, but the President ignored this, and named the man recommended by Mr. Wheeler.

The recess appointment was sent to the Senate several days ago, and Senators Flint and Perkins were made. The explanation was given that the sending of the nomination without consulting with the Senators was an inadvertence on the part of the President, but still he did not withdraw the name.

The Senators went to the White House to find out why. The President told them that the nomination was sent in by mistake, but that he could not possibly appoint their candidate.

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